

Regulatory Language for the January 22, 2009 Notice.
Comments will only be accepted on the shaded changes.
Regulatory Language

KEY:

Single underline text indicates text proposed to be added in this rulemaking file

~~Strikeout text indicates text proposed to be deleted in this rulemaking file~~

Double-underlined text indicates text that was added via emergency file 2008-0815-04E and which is proposed to be retained in this rulemaking file.

~~Double strikeout text indicates text that was deleted via emergency file 2008-0815-04E and which is proposed to be permanently removed in this rulemaking file.~~

~~Strikeout-Double-underlined text indicates text that was added via emergency file 2008-0815-04E which is proposed to be deleted in this rulemaking file.~~

Changes made to the text via emergency file 2008-0505-01E which are proposed to be retained in this file are shown in shaded single ~~strikeout~~ and underline format.

Section 27.20, Title 14, CCR, is amended to read:

§ 27.20. Groundfish Management Areas, Seasons, Depths, Exceptions, and Fishery Closure/Rule Change Process Described.

Regulations that follow in sections 27.25 through 27.50 define fishing seasons and depth constraints that are effective within each Groundfish Management Area. These sections apply to take and possession of all 90 species of federally-managed groundfish as defined in Section 1.91. (These species include but are not limited to rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish). Special closures and exceptions to these regulations are also specified. All regulations of sections 27.25 through 27.50 also apply for California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*, which are state-managed species known to associate with federal groundfish.

~~**(a) Depth Constraints:** A depth constraint means that during the open season, the aforementioned species may only be taken or possessed in water depths shallower than the specified general depth contour lines, or alternatively, in waters shoreward of lines approximating a particular depth contour, defined by connecting the appropriate set of waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).~~

(a) Depth Constraints: A depth constraint means that during the open season, the aforementioned species may only be taken or possessed in water depths shallower than the specified depth. Two specific definitions of “depth” apply off California. In waters shallower than 30 fathoms, “depth” is defined by general depth contour lines. In waters equal to or deeper than 30 fathoms, “depth” is defined by approximating a particular depth contour by connecting the appropriate set of waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(b) Open Season – Take, Possession and Transit: During any open season in any Groundfish Management Area, in waters deeper than where fishing is authorized or within special closure areas established within a Groundfish Management Area, it is

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

unlawful to take or possess the aforementioned species unless a special exception is provided. However, this regulation does not apply in cases where these species are possessed aboard ~~a vessel~~ a vessel in transit with no fishing gear deployed in the water.

(c) Closed Season: During any closed season in any Groundfish Management Area, it is unlawful to take or possess the aforementioned species regardless of depth, unless a special exception is provided.

(d) California Rockfish Conservation Area: Within any Groundfish Management Area, waters that are closed for these species during specified times and/or closed in specified depths shall be known as the California Rockfish Conservation Area. See Section 27.51.

(e) Fishery closure and/or rule change: When the department determines, based on the best available scientific information, that an annual harvest limit [optimum yield (OY), recreational harvest guideline, or recreational harvest target] established in regulation by the NOAA Fisheries (National Marine Fisheries Service) for any species of federally-managed groundfish or aggregate group of federal groundfish species has been exceeded or is projected to be exceeded prior to the end of the year or that catches are less than predicted, the following rule changes may occur:

(1) The department may modify the seasons and/or depth constraints for any species of federally-managed groundfish or aggregate group of federal groundfish species, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. Season and/or depth modifications may differ by Groundfish Management Area, mode of fishing, or gear utilized.

(2) The department may adjust existing bag or sub-bag limits or establish additional bag or sub-bag limits as needed for any species of federally-managed groundfish or aggregate group of federal groundfish species, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. Bag limits may differ by Groundfish Management Area, time of year, mode of fishing, or gear utilized.

(3) The department may adjust existing size limits or establish additional size limits as needed for any species of federally-managed groundfish or aggregate group of federal groundfish species, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. Size limits may differ by Groundfish Management Area, time of year, mode of fishing, or gear utilized.

(f) Notice of closure and/or rule change: The department shall give the public and the ~~National Marine Fisheries Service~~ NOAA Fisheries no less than 10 calendar days' notice of any fishery closure or rule change implemented pursuant to this Section via a department news release. Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE: Authority cited: Sections 200, 202, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 205, 1802, 7071 and 8586, Fish and Game Code; ~~and~~ 50 CFR Part 660, Subpart G, and 50 CFR 660.384; and 14 CCR 27.20.

Regulatory Language for the January 22, 2009 Notice.
Comments will only be accepted on the shaded changes.

Section 27.25, Title 14, CCR, is amended to read:

§27.25. Northern Groundfish Management Area.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Northern Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Northern Groundfish Management Area means ocean waters between 42° 00' N. lat. (the Oregon/California border) and 40° 10' N. lat. (near Cape Mendocino, Humboldt County).

(b) Seasons and depth constraints (except as provided in (c) below):

(1) January 1 through April ~~30~~ May 14: Closed.

(2) May ~~1~~ May 15 through November ~~September 1~~ September 15: Open for all species only in waters shallower than 20 fathoms in depth as described by general shoreward of lines approximating the 30 fathom depth contour lines, defined by connecting the set of 30 fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(3) ~~December September 2 through December 31 September 16 through December 31: Open for all species, except for lingcod, only in waters shallower than 20 fathoms in depth as described by general depth contour lines. Lingcod may not be taken or possessed. Closed.~~

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, ~~except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

(2) Leopard shark may be taken or possessed in Humboldt Bay all year.

(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

NOTE: Authority cited: Sections 200, 202, and 205 and 702, Fish and Game Code.
Reference: Sections 200, 202, and 205 and 1802, Fish and Game Code; and 50 CFR
Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Section 27.30, Title 14, CCR, is amended to read:

§ 27.30. North-Central North of Point Arena Groundfish Management Area.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the North-Central North of Point Arena Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The North-Central North of Point Arena Groundfish Management Area means ocean waters between 40° 10' N. lat. (near Cape Mendocino, Humboldt County) and 37° 11' N. lat. (at Pigeon Point, San Mateo County), 38° 57.50' N. lat (at Point Arena, Mendocino County).

(b) Seasons, depth constraints, and special closure areas (except as provided in (c) below):

(1) January 1 through ~~May 31~~ May 14: Closed.

(2) ~~June 1~~ May 15 through ~~November~~ September 1 August 15: Open for all species only in waters shallower than 20 fathoms in depth as described by general shoreward of lines approximating the 30 fathom depth contour lines., defined by connecting the set of 30 fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(3) ~~December~~ September 2 through ~~December 31~~ August 16 through December 31: Closed.

~~(4) **Farallons Closure Area:** Waters shallower than 10 fathoms in depth as described by general depth contour lines around the Farallon Islands (off San Francisco and San Mateo counties), including Southeast Farallon Island, Middle Farallon Island, North Farallon Island and Noon Day Rock are closed to fishing for these species at all times. Special exceptions provided for "other flatfish" in subsection (c)(1), shore-based angling in subsection (c)(3) and spearfishing/diving in subsection (c)(4) below do not apply in this closure area.~~

~~(5) **Cordell Bank Closure Area:** Waters of the Cordell Bank (off Marin County) shallower than 100 fathoms in depth as approximated by the 100 fathom depth contour that is defined by connecting the set of 100 fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G), is closed to fishing for these species at all times. Special exceptions provided for "other flatfish" in sub-section (c)(1) below apply in this closure area. Special exceptions provided for shore-based angling in subsection (c)(3) and spearfishing/diving in subsection (c)(4) below do not apply in this closure area.~~

(c) Special exceptions to subsection (b) above:

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, ~~except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~(2) Leopard shark may be taken or possessed in Drake's Estero Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, and San Francisco Bay all year.~~

~~(3)~~ (2) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

~~(4)~~ (3) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE: Authority cited: Sections 200, 202, and 205 and 702, Fish and Game Code.
Reference: Sections 200, 202, and 205 and 1802, Fish and Game Code; and 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Section 27.32, Title 14, CCR, is added to read:

§ 27.32. North-Central South of Point Arena Groundfish Management Area.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the North-Central South of Point Arena Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The North-Central South of Point Arena Groundfish Management Area means ocean waters between 38° 57.50' N. lat. (at Point Arena, Mendocino County) and 37° 11' N. lat. (at Pigeon Point, San Mateo County).

(b) Seasons, depth constraints, and special closure areas (except as provided in (c) below):

(1) January 1 through May 31 June 12: Closed.

(2) June 1 June 13 through November 30 October 31: Open for all species only in waters shallower than 20 fathoms in depth as described by general depth contour

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

lines shoreward of lines approximating the 30-fathom depth contour, defined by connecting the set of 30-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(3) November 1 through December 31: Closed.

(4) Farallons Closure Area: Waters shallower than 10 fathoms in depth as described by general depth contour lines around the Farallon Islands (off San Francisco and San Mateo counties), including Southeast Farallon Island, Middle Farallon Island, North Farallon Island and Noon Day Rock are closed to fishing for these species at all times. Special exceptions provided for "other flatfish" in subsection (c)(1), shore-based angling in subsection (c)(3) and spearfishing/diving in subsection (c)(4) below do not apply in this closure area.

(5) Cordell Bank Closure Area: Waters of the Cordell Bank (off Marin County) shallower than 100 fathoms in depth as approximated by the 100-fathom depth contour that is defined by connecting the set of 100-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G), isare closed to fishing for these species at all times. Special exceptions provided for "other flatfish" in sub-section (c)(1) below apply in this closure area. Special exceptions provided for shore-based angling in subsection (c)(3) and spearfishing/diving in subsection (c)(4) below do not apply in this closure area.

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year., except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(2) Leopard shark may be taken or possessed in Drake's Estero Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, and San Francisco Bay all year.

(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE:

Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code. Reference: Sections 200, 202, 205 and 1802, Fish and Game Code; 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Regulatory Language for the January 22, 2009 Notice.
Comments will only be accepted on the shaded changes.

Section 27.35, Title 14, CCR, is amended to read:

§ 27.35. Monterey South-Central Groundfish Management Area.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Monterey South-Central Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Monterey South-Central Groundfish Management Area means ocean waters between 37° 11' N. lat. (at Pigeon Point, San Mateo County) and 36° 00' N. lat. (near Lopez Point, Monterey County).

(b) Seasons and depth constraints (except as provided in (c) below):

(1) ~~January through April:~~ January 1 through April 30: Closed.

(2) ~~May through November:~~ May 1 through November 15: Open for all species only in waters shoreward of lines approximating the 40-fathom depth contour, defined by connecting the set of 40-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(3) ~~December:~~ Closed. November 16 through December 31: Closed.

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, ~~except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

(2) Leopard shark may be taken or possessed in Elkhorn Slough all year.

(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE:

Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202, and 205 and 1802, Fish and Game Code; ~~and 50 CFR Part 660, Subpart G.~~ Subpart G; and 50 CFR 660.384.

Regulatory Language for the January 22, 2009 Notice.
Comments will only be accepted on the shaded changes.

Section 27.40, Title 14, CCR, is amended to read:

§ 27.40. Morro Bay South-Central Groundfish Management Area.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Morro Bay South-Central Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Morro Bay South-Central Groundfish Management Area means ocean waters between 36° 00' N. lat. (near Lopez Point, Monterey County) and 34° 27' N. lat. (at Point Conception, Santa Barbara County).

(b) Seasons and depth constraints (except as provided in (c) below):

(1) ~~January through April:~~ January 1 through April 30: Closed.

(2) ~~May through November:~~ May 1 through November 15: Open for all species only in waters shoreward of lines approximating the 40-fathom depth contour, defined by connecting the set of 40-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G)

(3) ~~December:~~ Closed. November 16 through December 31: Closed.

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, ~~except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

(2) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(3) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE:

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202, and 205 and 1802, Fish and Game Code; ~~and 50 CFR Part 660, Subpart G.~~
Subpart G; and 50 CFR 660.384.

Section 27.45, Title 14, CCR, is amended to read:

§ 27.45. Southern Groundfish Management Area.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Southern Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Southern Groundfish Management Area means ocean waters between 34° 27' N. lat. (at Point Conception, Santa Barbara County) and the U.S./Mexico border, except for waters of the Cowcod Conservation Areas, which are specified in Section 27.50. The Cowcod Conservation Areas are not part of the Southern Groundfish Management Area.

(b) Seasons and depth constraints (except as provided in (c) below):

(1) ~~January and February:~~ January 1 through the last day in February: Closed, except California scorpionfish may be taken or possessed only in waters shoreward of lines approximating the 40-fathom depth contour, defined by connecting the set of 40-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(2) ~~March:~~ March 1 through March 31: Open for all species, except for lingcod, only in waters shoreward of lines approximating the 60-fathom depth contour, defined by connecting the set of 60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G). Lingcod may not be taken or possessed.

(3) ~~April through November:~~ April 1 through November 30: Open for all species only in waters shoreward of lines approximating the 60-fathom depth contour, defined by connecting the set of 60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(4) ~~December:~~ December 1 through December 31: Open for all species, except for lingcod, only in waters shoreward of lines approximating the 60-fathom depth contour, defined by connecting the set of 60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G). Lingcod may not be taken or possessed.

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, ~~except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

(2) Leopard shark may be taken or possessed in Newport Bay, Alamitos Bay, Mission Bay, and San Diego Bay all year.

(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE:

Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202, and 205 and 1802, Fish and Game Code; ~~and 50 CFR Part 660, Subpart G.~~ Subpart G; and 50 CFR 660.384.

Section 27.50, Title 14, CCR is amended to read:

§ 27.50. Cowcod Conservation Areas.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Cowcod Conservation Areas. The Cowcod Conservation Areas are special Groundfish Management Areas where sport fishing regulations for these species are designed to minimize interaction with cowcod. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Cowcod Conservation Areas are defined as ocean waters off southern California within each of the following two areas. Area 1 is an area south of Point Conception that is bound by straight lines connecting the following points in the order listed:

33° 50' N. lat., 119° 30' W. long.;
33° 50' N. lat., 118° 50' W. long.;
32° 20' N. lat., 118° 50' W. long.;
32° 20' N. lat., 119° 37' W. long.;
33° 00' N. lat., 119° 37' W. long.;
33° 00' N. lat., 119° 53' W. long.;
33° 33' N. lat., 119° 53' W. long.;

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

33° 33' N. lat., 119° 30' W. long.;

33° 50' N. lat., 119° 30' W. long.;

and Area 2 is a smaller area west of San Diego that is bound by straight lines connecting the following points in the order listed:

32° 42' N. lat., 118° 02' W. long.;

32° 42' N. lat., 117° 50' W. long.;

32° 36'42" N. lat., 117° 50' W. long.;

32° 30' N. lat., 117° 53'30" W. long.;

32° 30' N. lat., 118° 02' W. long.;

32° 42' N. lat., 118° 02' W. ~~long.;~~long.

(b) Seasons and depth constraints (except as provided in (c) below):

(1) ~~January and February:~~January 1 through the last day in February: Closed, except California scorpionfish may be taken or possessed only in waters shallower than 20 fathoms in depth, as described by general depth contour lines.

(2) ~~March:~~March 1 through March 31: Open for only the species or species groups listed in (A) through (F) below, and only in waters shallower than 20 fathoms in depth as described by general depth contour lines.

(A) Nearshore rockfish, as defined in subsection 1.91(a)(1)

(B) Cabezon

(C) California scorpionfish

(D) Greenlings of the genus *Hexagrammos*

(E) California sheephead

(F) Ocean whitefish

(3) ~~April through November:~~April 1 through November 30: Open for only the species or species groups listed in (A) through (G) below, and only in waters shallower than 20 fathoms in depth as described by general depth contour lines.

(A) Nearshore rockfish, as defined in subsection 1.91(a)(1)

(B) Cabezon

(C) California scorpionfish

(D) Greenlings of the genus *Hexagrammos*

(E) California sheephead

(F) Ocean whitefish

(G) Lingcod

(4) ~~December:~~December 1 through December 31: Open for only the species or species groups listed in (A) through (F) below, and only in waters shallower than 20 fathoms in depth as described by general depth contour lines.

(A) Nearshore rockfish, as defined in subsection 1.91(a)(1)

(B) Cabezon

(C) California scorpionfish

(D) Greenlings of the genus *Hexagrammos*

(E) California sheephead

(F) Ocean whitefish

(c) Special exceptions to subsection (b) above:

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, ~~except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

(2) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), only the species identified in (b)(3) above may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(3) When diving or spearfishing, as authorized in Section 28.90, only the species identified in (b)(3) above may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE:

Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202, ~~and 205 and 1802~~, Fish and Game Code; ~~and 50 CFR Part 660, Subpart G. Subpart G; and 50 CFR 660.384; and 14 CCR 27.20.~~

Section 27.51, Title 14, CCR is amended to read:

§ 27.51. California Rockfish Conservation Area.

California Rockfish Conservation Area (CRCA) means the ocean waters that are closed to recreational groundfish fishing at specified times, or closed in specified depths or areas. CRCAs serve to minimize interaction with particular species of overfished groundfish that cannot be selectively avoided and thus must be protected from overharvest by closing times, depths or areas to recreational fishing for all federally-managed groundfish and associated species (limited to California sheephead, greenlings of the ~~genus~~Hexagrammos ~~genus~~ Hexagrammos, and ocean whitefish) managed by California. See Section 27.20.

(a) In the CRCA, take and possession is prohibited for all 90 species of federally-managed groundfish as defined in Section 1.91. These species include but are not limited to rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. Take and possession of California sheephead, ocean whitefish, and all greenlings of the ~~genus~~Hexagrammos ~~genus~~ Hexagrammos, which are state-managed species known to associate with federal groundfish, is also prohibited.

(b) This regulation does not apply in cases where these species are possessed aboard ~~a vessels-vessel~~ in transit with no fishing gear deployed in the water.

Regulatory Language for the January 22, 2009 Notice.
Comments will only be accepted on the shaded changes.

NOTE:

Authority: Section 205, Fish and Game Code. Reference: Sections 200, 202 and 215, Fish and Game Code; and 50 CFR Part 660, Subpart G.

Section 28.26, Title 14, CCR, is amended to read:

§ 28.26. California Sheephead.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~ May 15 through ~~December 1~~ September 1 September 15, in waters shallower than ~~30~~ 20 fathoms.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~ May 15 through ~~November 1~~ September 1 August 15, in waters shallower than ~~30~~ 20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~ June 13 through ~~November 30~~ October 31, in waters shallower than ~~20~~ 30 fathoms.

~~(3)~~ (4) **Monterey South-Central Groundfish Management Area:** Open May 1 through ~~November 30~~ 15, in waters shallower than 40 fathoms.

~~(4)~~ (5) **Morro Bay South-Central Groundfish Management Area:** Open May 1 through ~~November 30~~ 15, in waters shallower than 40 fathoms.

~~(5)~~ (6) **Southern Groundfish Management Area:** Open March 1 through ~~December 31~~ 31, in waters shallower than 60 fathoms.

~~(6)~~ (7) **Cowcod Conservation Areas:** Open March 1 through ~~December 31~~ 31, in waters shallower than 20 fathoms.

(b) **Limit:** Five.

(c) **Minimum size:** 12 inches total length.

(d) Fishing rules for California sheephead may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e) or Section 52.10. Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: ~~www.dfg.ca.gov/mrd/~~ www.dfg.ca.gov/marine/, or by calling **(831) 649-2801** for recorded information, or by contacting a department office.

NOTE: Authority cited: Sections 200, 202, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 205, 1802, 7071 and 8586, Fish and Game Code; 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Section 28.27, Title 14, CCR, is amended to read:

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

§ 28.27. Lingcod.

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~ May 15 through ~~November 30~~ September 15, in waters shallower than ~~30~~ 20 fathoms.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~ May 15 through ~~November 30~~ September 1 August 15, in waters shallower than ~~30~~ 20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~ June 13 through ~~November 30~~ October 31, in waters shallower than ~~20~~ 30 fathoms.

(3)(4) **Monterey South-Central Groundfish Management Area:** Open ~~May 1~~ May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

(4)(5) **Morro Bay South-Central Groundfish Management Area:** Open ~~May 1~~ May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

(5)(6) **Southern Groundfish Management Area:** Open ~~April 1~~ April 1 through ~~November 30~~ November 30, in waters shallower than 60 fathoms.

(6)(7) **Cowcod Conservation Areas:** Open ~~April 1~~ April 1 through ~~November 30~~ November 30, in waters shallower than 20 fathoms.

(b) **Limit:** Two.

(c) **Minimum size:** 24 inches total length.

(d) **Method of take:** Not more than two hooks and one line. For purposes of this section, a hook is a single hook, or double or treble hook with multiple points connected to a common shank.

(e) Fishing rules for lingcod may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/ www.dfg.ca.gov/marine/, or by calling **(831) 649-2801** for recorded information, or by contacting a department office.

NOTE: Authority cited: Sections 200, 202, 220, 702 and 8587.1, Fish and Game Code. Reference: Sections 205, 1802 and 8586, Fish and Game Code; ~~and~~ 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Section 28.28, Title 14, CCR, is amended to read:

§ 28.28. Cabezon.

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

(1) **Northern Groundfish Management Area:** Open ~~May 1~~May 15 through ~~December 30~~September 15, in waters shallower than ~~30~~20 fathoms.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~May 15 through ~~November 30~~September 1August 15, in waters shallower than ~~30~~20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~June 13 through ~~November 30~~October 31, in waters shallower than ~~20~~30 fathoms.

~~(3)~~(4) **Monterey South-Central Groundfish Management Area:** Open ~~May 1~~May 1 through ~~November 30~~November 15, in waters shallower than 40 fathoms.

~~(4)~~(5) **Morro Bay South-Central Groundfish Management Area:** Open ~~May 1~~May 1 through ~~November 30~~November 15, in waters shallower than 40 fathoms.

~~(5)~~(6) **Southern Groundfish Management Area:** Open ~~March 1~~March 1 through ~~December 31~~December 31, in waters shallower than 60 fathoms.

~~(6)~~(7) **Cowcod Conservation Areas:** Open ~~March 1~~March 1 through ~~December 31~~December 31, in waters shallower than 20 fathoms.

(b) **Limit:** ~~One fish~~Two Fish, within a Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) bag limit of 10 fish.

(c) **Minimum size:** 15 inches total length.

(d) Fishing rules for cabezon may be changed during the year or in-season by the department under the authority of subsection 27.20(e) or Section 52.10. The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: ~~www.dfg.ca.gov/mrd/~~www.dfg.ca.gov/marine/, or by calling **(831) 649-2801** for recorded information, or by contacting a department office.

NOTE: Authority cited: Sections 200, 202, 220, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 205, 210, 1802, 7071 and 8586, Fish and Game Code; ~~and~~ 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Section 28.29, Title 14, CCR, is amended to read:

§ 28.29. Kelp Greenling. Rock Greenling.

(a) Open areas, seasons, and depth constraints for greenlings of the genus *Hexagrammos* (including kelp and rock greenlings): See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~May 15 through ~~December 30~~September 15, in waters shallower than ~~30~~20 fathoms.

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~ May 15 through ~~November 30~~ September 1 August 15, in waters shallower than ~~30~~ 20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~ June 13 through ~~November 30~~ October 31, in waters shallower than ~~20~~ 30 fathoms.

~~(3)~~(4) **Monterey South-Central Groundfish Management Area:** Open May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

~~(4)~~(5) **Morro Bay South-Central Groundfish Management Area:** Open May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

~~(5)~~(6) **Southern Groundfish Management Area:** Open March 1 through December 31, in waters shallower than 60 fathoms.

~~(6)~~(7) **Cowcod Conservation Areas:** Open March 1 through December 31, in waters shallower than 20 fathoms.

(b) **Limit:** For greenlings of the genus *Hexagrammos*, within a Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) bag limit of 10 fish, two fish.

(c) **Minimum size:** 12 inches total length.

(d) Fishing rules for greenlings of the genus *Hexagrammos* may be changed during the year or in-season by the department under the authority of subsection 27.20(e) or Section 52.10. The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/ ~~www.dfg.ca.gov/marine/~~, or by calling **(831) 649-2801** for recorded information, or by contacting a department office.

NOTE: Authority cited: Sections 200, 202, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 205, 210, 1802, 7071 and 8586, Fish and Game Code; ~~and~~ 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Section 28.48, Title 14, CCR, is amended to read:

§ 28.48. Pacific Sanddab, Rock Sole, Sand Sole, Butter Sole, Curlfin Sole, Rex Sole, and Flathead Sole.

Pacific sanddab, rock sole, sand sole, butter sole, curlfin sole, rex sole, and flathead sole are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows. These species are also known in the aggregate as "other flatfish" pursuant to subsection 1.91(a)(10). Regulations of this Section do not apply to other species of sanddabs, flounders, or sole.

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. ~~Take and possession is authorized as follows:~~ Open year-round.

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

~~-(1) Northern Groundfish Management Area: Open year-round, except gear restrictions apply as follows:~~

~~-(A) January 1 through April 30 - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(B) May 1 through December September 1 - In waters deeper than 30 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(C) September 2 through December 31 - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(2) North-Central North of Point Arena Groundfish Management Area: Open year-round, except gear restrictions apply as follows:~~

~~-(A) January 1 through May 31 - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(B) June 1 through November September 1 - In waters deeper than 30 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(C) December September 2 through December 31 - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(3) North-Central South of Point Arena Groundfish Management Area: Open year-round, except gear restrictions apply as follows:~~

~~-(A) January 1 through May 31 - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(B) June 1 through November 30 - In waters deeper than 20 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(C) December - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~(3)(4) Monterey South-Central Groundfish Management Area: Open year-round, except gear restrictions apply as follows:~~

~~-(A) January 1 through April 30 - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

~~-(B) May 1 through November 30 - In waters deeper than 40 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(C) December - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~(4)(5) **Morro Bay South-Central Groundfish Management Area:** Open year-round, except gear restrictions apply as follows:~~

~~-(A) January 1 through April 30 - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(B) May 1 through November 30 - In waters deeper than 40 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(C) December - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~(5)(6) **Southern Groundfish Management Area:** Open year-round, except gear restrictions apply as follows:~~

~~-(A) January 1 through the last day of and February - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(B) March 1 through December 31 - In waters deeper than 60 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~(6)(7) **Cowcod Conservation Areas:** Open year-round, except gear restrictions apply as follows:~~

~~-(A) January 1 through the last day of and February - In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

~~-(B) March 1 through December 31 - In waters deeper than 20 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.~~

(b) Fishing rules for Pacific sanddab, rock sole, sand sole, butter sole, curlfin sole, rex sole, and flathead sole may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/ ~~www.dfg.ca.gov/marine/~~, or by calling **(831) 649-2801** for recorded information, or by contacting a department office.

(c) **Limit:** There is no limit on Pacific sanddab. The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to rock sole, sand sole, butter sole, curlfin sole, rex sole, and flathead sole.

NOTE: Authority cited: Sections 200, 202, ~~and 205~~ and 702, Fish and Game Code. Reference: Sections 200, 202, ~~and 205 and 1802~~, Fish and Game Code; ~~and 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.~~

Section 28.49, Title 14, CCR, is amended to read:

§ 28.49. Dover Sole, English Sole, Petrale Sole, Arrowtooth Flounder, and Starry Flounder.

Dover sole, English sole, Petrale sole, arrowtooth flounder and starry flounder are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows. Regulations of this Section do not apply to other species of flounders or sole.

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~ May 15 through ~~December 30~~ September 1 September 15, in waters shallower than ~~30~~ 20 fathoms.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~ May 15 through ~~November 30~~ September 1 August 15, in waters shallower than ~~30~~ 20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~ June 13 through ~~November 30~~ October 31, in waters shallower than ~~20~~ 30 fathoms.

~~(3)~~ (4) **Monterey South-Central Groundfish Management Area:** Open ~~May 1~~ May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

~~(4)~~ (5) **Morro Bay South-Central Groundfish Management Area:** Open ~~May 1~~ May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

~~(5)~~ (6) **Southern Groundfish Management Area:** Open ~~March 1~~ March 1 through ~~December 31~~, in waters shallower than 60 fathoms.

~~(6)~~ (7) **Cowcod Conservation Areas:** Closed.

(b) Fishing rules for Dover sole, English sole, Petrale sole, arrowtooth flounder and starry flounder may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

website at: www.dfg.ca.gov/mrd/ ~~www.dfg.ca.gov/marine/~~, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(c) **Limit:** There is no limit on Petrale sole or starry flounder. The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to Dover sole, English sole, and arrowtooth flounder.

NOTE: Authority cited: Sections 200, 202, ~~and 205~~ and 702, Fish and Game Code. Reference: Sections 200, 202, ~~and 205~~ and 1802, Fish and Game Code; ~~and 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.~~

Section 28.51, Title 14, CCR, is amended to read:

§ 28.51. Spiny Dogfish, Soupfin Shark.

Spiny dogfish and soupfin shark are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows.

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~ May 15 through ~~December 30~~ September 1 September 15, in waters shallower than ~~30~~ 20 fathoms.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~ May 15 through ~~November 30~~ September 1 August 15, in waters shallower than ~~30~~ 20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~ June 13 through ~~November 30~~ October 31, in waters shallower than 20 30 fathoms.

~~(3)~~ (4) **Monterey South-Central Groundfish Management Area:** Open ~~May 1~~ May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

~~(4)~~ (5) **Morro Bay South-Central Groundfish Management Area:** Open ~~May 1~~ May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

~~(5)~~ (6) **Southern Groundfish Management Area:** Open ~~March 1~~ March 1 through ~~December 31~~, in waters shallower than 60 fathoms.

~~(6)~~ (7) **Cowcod Conservation Areas:** Closed.

(b) Fishing rules for spiny dogfish and soupfin shark may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/ ~~www.dfg.ca.gov/marine/~~, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

(c) **Limit:** Soupin shark - one. The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to spiny dogfish.

NOTE: Authority cited: Sections 200, 202, ~~and 205~~ and 702, Fish and Game Code. Reference: Sections 200, 202, ~~and 205 and 1802~~, Fish and Game Code; ~~and 50 CFR Part 660, Subpart G; 50 CFR 660.384-660.385; and 14 CCR 27.20.~~

Section 28.52, Title 14, CCR, is amended to read:

§ 28.52. Big Skates, California Skates, and Longnose Skates.

Big skates, California skates, and longnose skates are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows. Regulations in this Section do not apply to other skate species.

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~ May 15 through ~~December 1~~ September 1 September 15, in waters shallower than ~~30~~ 20 fathoms.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~ May 15 through ~~November 1~~ September 1 August 15, in waters shallower than ~~30~~ 20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~ June 13 through ~~November 30~~ October 31, in waters shallower than ~~20~~ 30 fathoms.

~~(3)~~ (4) **Monterey South-Central Groundfish Management Area:** Open ~~May 1~~ May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

~~(4)~~ (5) **Morro Bay South-Central Groundfish Management Area:** Open ~~May 1~~ May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

~~(5)~~ (6) **Southern Groundfish Management Area:** Open ~~March 1~~ March 1 through ~~December 31~~, in waters shallower than 60 fathoms.

~~(6)~~ (7) **Cowcod Conservation Areas:** Closed.

(b) Fishing rules for big skates, California skates, and longnose skates may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/ www.dfg.ca.gov/marine/, or by calling **(831) 649-2801** for recorded information, or by contacting a department office.

(c) **Limit:** The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to big skates, California skates, and longnose skates.

Regulatory Language for the January 22, 2009 Notice.
Comments will only be accepted on the shaded changes.

NOTE: Authority cited: Sections 200, 202, ~~and 205~~ and 702, Fish and Game Code.
Reference: Sections 200, 202, ~~and 205~~ and 1802, Fish and Game Code; ~~and 50 CFR~~
Part 660, Subpart G; ~~50 CFR 660.384-660.382~~; and 14 CCR 27.20.

Section 28.53, Title 14, CCR, is amended to read:

§ 28.53. Ratfish, Rattails and Codlings.

Ratfish, Pacific rattail and finescale codling are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows. Regulations in this Section do not apply to other rattail or codling species.

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~ May 15 through ~~December 1~~ September 15, in waters shallower than ~~30~~ 20 fathoms.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~ May 15 through ~~November 1~~ September 15, in waters shallower than ~~30~~ 20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~ June 13 through ~~November 30~~ October 31, in waters shallower than ~~20~~ 30 fathoms.

~~(3)~~(4) **Monterey South-Central Groundfish Management Area:** Open May 1 through November ~~30~~ November 15, in waters shallower than 40 fathoms.

~~(4)~~(5) **Morro Bay South-Central Groundfish Management Area:** Open May 1 through November ~~30~~ November 15, in waters shallower than 40 fathoms.

~~(5)~~(6) **Southern Groundfish Management Area:** Open March 1 through December 31, in waters shallower than 60 fathoms.

~~(6)~~(7) **Cowcod Conservation Areas:** Closed.

(b) Fishing rules for ratfish, Pacific rattail and finescale codling may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: ~~www.dfg.ca.gov/mrd/~~ www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(c) **Limit:** The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to ratfish, Pacific rattail and finescale codling.

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

NOTE: Authority cited: Sections 200, 202, and 205 and 702, Fish and Game Code. Reference: Sections 200, 202, and 205 and 1802, Fish and Game Code; and 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Section 28.54, Title 14, CCR, is amended to read:

§ 28.54. California Scorpionfish (Sculpin).

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~May 15 through ~~December 30~~September 1 ~~September 15~~, in waters shallower than ~~30~~20 fathoms.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~May 15 through ~~November 30~~September 1 ~~August 15~~, in waters shallower than ~~30~~20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~June 13 through ~~November 30~~October 31, in waters shallower than ~~20~~30 fathoms.

~~(3)~~(4) **Monterey South-Central Groundfish Management Area:** Open ~~May 1~~May 1 through ~~November 30~~November 15, in waters shallower than 40 fathoms.

~~(4)~~(5) **Morro Bay South-Central Groundfish Management Area:** Open ~~May 1~~May 1 through ~~November 30~~November 15, in waters shallower than 40 fathoms.

~~(5)~~(6) **Southern Groundfish Management Area:** Open ~~January 1~~January 1 through the last day in ~~and~~ February in waters shallower than 40 fathoms, and ~~March 1~~March 1 through December ~~31~~31 in waters shallower than 60 fathoms.

~~(6)~~(7) **Cowcod Conservation Areas:** Open ~~January 1~~January 1 through December ~~31~~31, in waters shallower than 20 fathoms.

(b) **Limit:** Five.

(c) **Minimum size:** 10 inches total length.

(d) Fishing rules for California scorpionfish may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: ~~www.dfg.ca.gov/mrd/~~www.dfg.ca.gov/marine/, or by calling **(831) 649-2801** for recorded information, or by contacting a department office.

NOTE: Authority cited: Sections 200, 202, 205, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, 210, 220, 1802, 7071 and 8586, Fish and Game Code; and 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Regulatory Language for the January 22, 2009 Notice.
Comments will only be accepted on the shaded changes.

Section 28.55, Title 14, CCR, is amended to read:

§ 28.55. Rockfish (Sebastes).

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~May 15 through ~~December 30~~September 15, in waters shallower than ~~30~~20 fathoms.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~May 15 through ~~November 30~~August 15, in waters shallower than ~~30~~20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~June 13 through ~~November 30~~October 31, in waters shallower than ~~20~~30 fathoms.

~~(3)~~(4) **Monterey South-Central Groundfish Management Area:** Open May 1 through ~~November 30~~November 15, in waters shallower than 40 fathoms.

~~(4)~~(5) **Morro Bay South-Central Groundfish Management Area:** Open May 1 through ~~November 30~~November 15, in waters shallower than 40 fathoms.

~~(5)~~(6) **Southern Groundfish Management Area:** Open March 1 through December 31, in waters shallower than 60 fathoms.

~~(6)~~(7) **Cowcod Conservation Areas:** Open March 1 through December 31, in waters shallower than 20 fathoms, except that only Nearshore Rockfish, as defined in subsection 1.91(a)(1) may be taken and possessed.

(b) **Limit:** Ten, within the Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) bag limit of 10 fish, in any combination of species, except as provided below.

(1) The limit on bronzespotted rockfish, canary rockfish, cowcod, and yelloweye rockfish is zero. These species shall not be taken or possessed as part of the RCG limit.

(2) ~~In the Northern Groundfish Management Area (see Section 27.25), the~~The limit on bocaccio rockfish is two fish, within the RCG limit.

~~(3) In the North-Central North of Point Arena, North-Central South of Point Arena, Monterey South-Central, Morro Bay South-Central, and Southern Groundfish Management Areas (see sections 27.30 through 27.45), the~~ limit on bocaccio rockfish is one fish, within the RCG limit.

~~(4)~~(3) In the Cowcod Conservation Areas (see Section 27.50), the limit on bocaccio and other shelf and slope rockfish, as defined in subsections 1.91(a)(3) and 1.91(a)(4), is zero. These species shall not be taken or possessed as part of the RCG limit in ~~this Management Area~~the Cowcod Conservation Areas.

(c) **Size limit:** None, except no bocaccio may be taken or possessed that is less than 10 inches in total length.

(d) **Method of take:** Not more than two hooks and one line. For purposes of this section, a hook is a single hook, or a double or treble hook with multiple points connected to a common shank.

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

(e) Fishing rules for rockfish may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/ www.dfg.ca.gov/marine/, or by calling **(831) 649-2801** for recorded information, or by contacting a department office.

NOTE: Authority cited: Sections 200, 202, 205, 215, 220, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, 215, 220, 1802, 7071 and 8585.5, Fish and Game Code; 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Section 28.56, Title 14, CCR, is amended to read:

§ 28.56. Leopard Shark.

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~May 15 through ~~December 31~~September 1 ~~September 15~~ in waters shallower than ~~30~~ 20 fathoms, except that take and possession is authorized year-round in Humboldt Bay.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~May 15 through ~~November 30~~September 1 ~~August 15~~, in waters shallower than ~~30~~ 20 fathoms, ~~except that take and possession is authorized year-round in Drake's Estero Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, and San Francisco Bay.~~

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~June 13 through ~~November 30~~October 31, in waters shallower than ~~20~~ 30 fathoms, ~~except that take and possession is authorized year-round in Drake's Estero Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, and San Francisco Bay.~~

~~(3)~~(4) **Monterey South-Central Groundfish Management Area:** Open ~~May 1~~ through ~~November 30~~November 15, in waters shallower than 40 fathoms, except that take and possession is authorized year-round in Elkhorn Slough.

~~(4)~~(5) **Morro Bay South-Central Groundfish Management Area:** Open ~~May 1~~ through ~~November 30~~November 15, in waters shallower than 40 fathoms.

~~(5)~~(6) **Southern Groundfish Management Area:** Open ~~March 1~~ through ~~December 31~~, in waters shallower than 60 fathoms, except that take and possession is authorized year-round in Newport Bay, Alamitos Bay, Mission Bay, and San Diego Bay.

~~(6)~~(7) **Cowcod Conservation Areas:** Open ~~March 1~~ through ~~December 31~~, in waters shallower than ~~20~~ fathoms. Closed.

(b) **Limit:** three.

(c) **Minimum size:** 36 inches total length.

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

(d) Fishing rules for leopard shark may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/ www.dfg.ca.gov/marine/, or by calling **(831) 649-2801** for recorded information, or by contacting a department office.

NOTE: Authority cited: Sections 200, 202, 205, ~~and 210~~ and 702, Fish and Game Code. Reference: Sections 200, 202, 205, 206, ~~and 210~~ and 1802, Fish and Game Code; 50 CFR Part 660 Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Section 28.57, Title 14, CCR, is amended to read:

§ 28.57. Pacific Cod, Pacific Whiting, Sablefish, and Thornyheads.

Pacific cod, Pacific whiting, sablefish, longspine thornyhead, and shortspine thornyhead are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows.

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~ May 15 through ~~December 30~~ September 1 September 15 in waters shallower than ~~30~~ 20 fathoms.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~ May 15 through ~~November 30~~ September 1 August 15, in waters shallower than ~~30~~ 20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~ June 13 through ~~November 30~~ October 31, in waters shallower than ~~20~~ 30 fathoms.

~~(3)~~ (4) **Monterey South-Central Groundfish Management Area:** Open ~~May 1~~ May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

~~(4)~~ (5) **Morro Bay South-Central Groundfish Management Area:** Open ~~May 1~~ May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

~~(5)~~ (6) **Southern Groundfish Management Area:** Open ~~March 1~~ March 1 through ~~December 31~~, in waters shallower than 60 fathoms.

~~(6)~~ (7) **Cowcod Conservation Areas:** Closed.

(b) Fishing rules for Pacific cod, Pacific whiting, sablefish, longspine thornyhead, and shortspine thornyhead may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

website at: www.dfg.ca.gov/mrd/ www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(c) **Limit:** The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to Pacific cod, Pacific whiting, sablefish, longspine thornyhead, and shortspine thornyhead.

NOTE: Authority cited: Sections 200, 202, ~~and~~ 205 and 702, Fish and Game Code. Reference: Sections 200, 202, ~~and~~ 205 and 1802, Fish and Game Code; ~~and~~ 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Section 28.58, Title 14, CCR, is amended to read:

§ 28.58. Ocean Whitefish.

(a) **Open areas, seasons, and depth constraints:** See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) **Northern Groundfish Management Area:** Open ~~May 1~~ May 15 through ~~December 31~~ September 1 September 15, in waters shallower than ~~30~~ 20 fathoms.

(2) **North-Central North of Point Arena Groundfish Management Area:** Open ~~June 1~~ May 15 through ~~November 30~~ September 1 August 15, in waters shallower than ~~30~~ 20 fathoms.

(3) **North-Central South of Point Arena Groundfish Management Area:** Open ~~June 1~~ June 13 through ~~November 30~~ October 31 in waters shallower than ~~20~~ 30 fathoms.

~~(3)~~ (4) **Monterey South-Central Groundfish Management Area:** Open May 1 through ~~November 30~~ November 15 in waters shallower than 40 fathoms.

~~(4)~~ (5) **Morro Bay South-Central Groundfish Management Area:** Open May 1 through ~~November 30~~ November 15, in waters shallower than 40 fathoms.

~~(5)~~ (6) **Southern Groundfish Management Area:** Open March 1 through December 31, in waters shallower than 60 fathoms.

~~(6)~~ (7) **Cowcod Conservation Areas:** Open March 1 through December 31, in waters shallower than 20 fathoms.

(b) Fishing rules for ocean whitefish may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/ www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(c) **Limit:** The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to ocean whitefish.

Regulatory Language for the January 22, 2009 Notice.

Comments will only be accepted on the shaded changes.

NOTE: Authority cited: Sections 200, 202, 205, 210, 215, ~~and 220~~ and 702, Fish and Game Code. Reference: Sections 200, 202, 205, 206, 215, ~~and 220~~ and 1802, Fish and Game Code; 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.